

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(76) 537 final.

Brussels, 7 October 1976.

Proposal for a  
REGULATION (EEC) OF THE COUNCIL

concerning a charge on certain oil and fats

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(submitted to the Council by the Commission)

COM(76) 537 final.



EUROPEAN COMMUNITIES

COMMISSION

proposal for a  
REGULATION (EEC) No ..../76 OF THE COUNCIL  
of .....

concerning a charge on certain oils and fats

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament<sup>(1)</sup>;

Whereas the prices of butter fats and those of vegetable and marine fats and oils have followed different trends in recent years; whereas this situation and the resultant price relationship have helped to create an imbalance between supply and demand for milk products;

Whereas the introduction of a charge on vegetable and marine fats and oils intended for food use, by re-establishing a better price relationship between the various fats and oils, can help reduce the imbalance referred to above;

Whereas in order to ensure the correct and uniform application of the charge the stage at which it is to be levied should be determined;

Whereas Council Regulation (EEC) No ..../76 of <sup>(2)</sup> introduced a co-responsibility levy on milk; whereas in order to take uniform action on the markets in the various oils and fats the amount of the charge should be determined taking into account the incidence of the levy on the value of butter fat; whereas, to the same end, the charge should be fixed at the same time as the levy;

Whereas, in order that this charge may be levied on all products subject to it, the Member States must introduce control arrangements in respect of the basic materials;

Whereas, with the aim of preventing speculative transactions when the charge system described above is implemented, stocks exceeding a certain quantity should be subject to the charge,

HAS ADOPTED THIS REGULATION :

(1) OJ No

(2) OJ No

### Article 1

1. With effect from 1 April 1977 a charge shall be introduced on vegetable and marine oils and fats with the exception of olive oil and castor oil and products intended for technical or industrial uses other than the manufacture of products for human or animal consumption.
2. The Council, acting, by a qualified majority, on a proposal from the Commission, may alter the list set out in (b) of the Annex.

### Article 2

1. The charge shall be levied on products :
  - (a) which are listed in (a) and (b) of the Annex and imported into the Community, on their release into free circulation;
  - (b) which are listed in (a) of the Annex and obtained in the Community, on their being placed under customs control in the undertaking producing the raw materials from which they are obtained.

Where adequate guarantees are provided that the products referred to above will be used for purposes other than for human or animal consumption the charge shall not be levied.

2. Where the charge was levied it shall be refunded when proof is submitted that the products were :
  - used for purposes other than human or animal consumption, or
  - exported outside the Community.

### Article 3

With regard to products listed in (a) of the Annex the amount of the charge per 100 kg shall be fixed so that :

- this amount corresponds to the incidence of the co-responsibility levy provided for in Regulation (EEC) No ..../76 on the value of the butter fat contained in the quantity of milk necessary to produce 100 kg of butter,
- no distortions are created between the prices of the various products subject to the charge.

#### Article 4

1. With regard to products listed in (a) of the Annex and obtained in the Community the amount of the charge shall be fixed on the basis of the oil or fat content of the raw materials from which they are extracted.  
This content may be fixed at a standard rate.
2. With regard to products listed in (b) of the Annex the amount of the charge shall be fixed taking into account the quantities of products listed in (a) of the Annex used in their manufacture.  
This quantity may be fixed at a standard rate.

#### Article 5

The amount of the charge shall be fixed annually at the same time as the co-responsibility levy provided for in Regulation (EEC) No ..../76. Where, however, the attainment of the objectives set out in Article 3 so requires, the charge shall be altered in the meantime.

#### Article 6

1. The Member States shall introduce control arrangements, to ensure payment of the charge on all products subject to it.
2. These arrangements shall include :
  - (a) the placing under customs control of the raw materials referred to in Article 2 (1) (b);
  - (b) the obligation on the parties concerned to keep stock accounts satisfying criteria to be determined.
3. The Council, acting by qualified majority on a proposal from the Commission, shall adopt general rules governing the control referred to in paragraph 1.

#### Article 7

Products listed in (a) of the Annex which are still in stock on 1 April 1977 shall be subject to the charge on condition that :

- (a) the quantities held by a single natural or legal person exceed a minimum to be determined, and
- (b) the products concerned are in one of the situations referred to in Article 9 (2) of the Treaty.

Article 8

Rules for the application of this Regulation, in particular concerning the amount of the charge, shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

Article 9

This Regulation shall be applicable until 31 March 1980.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, .....

For the Council

| Numéro du Tarif Douanier Commun   | Désignation des marchandises   |
|---|--|
| <b>a) <u>Huiles et graisses d'origine végétale ou marine</u></b>                                    |  |
| 15.04   | Graisses et huiles de poissons et de mammifères marins, mêmes raffinées  |
| 15.07 D   | Autres huiles végétales fixes, fluides ou concrètes, brutes, épurées ou raffinées  |
| <b>b) <u>Marchandises contenant des produits visés sous a) ou fabriqués à partir de ceux-ci</u></b> |  |
| [ex 15.08 ]   | Huiles végétales cuites, oxydées, déshydratées, sulfurées, soufflées, standolisées ou autrement modifiées  |
| 15.10   | Acides gras industriels, huiles acides de raffinage, alcools gras industriels  |
| ex 15.12  | Huiles et graisses végétales partiellement ou totalement hydrogénées et huiles et graisses végétales solidifiées ou durcies par tout autre procédé, même raffinées, mais non préparées   |
| 15.13   | Margarine, simili-saindoux et autres graisses alimentaires préparées   |
| ex 15.17 B  | Résidus provenant du traitement des corps gras végétaux, même en mélange avec des résidus provenant du traitement des corps gras ou des cires animales, à l'exclusion des résidus contenant de l'huile ayant les caractères de l'huile d'olive |
| ex 16.02  | Autres préparations et conserves de viandes ou d'abats contenant des huiles et graisses végétales ou de poissons et de mammifères marins   |
| ex 16.04  | Préparations et conserves de poissons, à l'exclusion du caviar et de ses succédanés, contenant des huiles et graisses végétales ou de poissons et de mammifères marins   |
| 17.04 C et D  | Sucreries sans cacao, à l'exception des extraits de réglisse et de gomme à mâcher, contenant huiles et graisses végétales ou de poissons et de mammifères marins   |

(suite)

| Numéro du Tarif Douanier Commun | Désignation des marchandises   |
|---------------------------------|--|
| ex 18.06                        | Chocolat et autres préparations alimentaires contenant du cacao, à l'exclusion du cacao en poudre, contenant des huiles et graisses végétales ou de poissons et de mammifères marins   |
| ex 19.02                        | Préparations pour l'alimentation des enfants ou pour des usages diététiques ou culinaires à base de farines, semoules, amidons, féculés ou extraits de malt, même additionnés de cacao dans une proportion inférieure à 50 % en poids, contenant des huiles et graisses végétales ou de poissons et de mammifères marins |
| 19.08                           | Produits de la boulangerie fine, de la pâtisserie et de la biscuiterie, même additionnée de cacao en toutes proportions  |
| ex 20.02                        | Légumes et plantes potagères préparés ou conservés sans vinaigre ou acide acétique, contenant des huiles et graisses végétales ou de poissons et mammifères marins   |
| ex 21.04                        | Sauces, condiments et assaisonnements, composés, contenant des huiles et graisses végétales ou de poissons et mammifères marins  |
| ex 21.05                        | Préparations pour soupes, potages ou bouillons; soupes, potages ou bouillons préparés; préparations alimentaires composites homogénéisées, contenant des huiles et graisses végétales ou de poissons et mammifères marins  |
| ex 21.07                        | Préparations alimentaires non dénommées ni comprises ailleurs, contenant des huiles et graisses végétales ou de poissons et mammifères marins  |
| ex 23.07                        | Préparations fourragères mélassées ou sucrées; autres préparations du genre de celles utilisées dans l'alimentation des animaux, contenant des huiles et graisses végétales ou de poissons et mammifères marins  |